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EXAMINER

NGUYEN, SON T

ART UNIT

PAPER NUMBER

3643

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/075,096

Applicant(s)

WHITCOMB, CARL E.

Examiner

Son T. Nguyen

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3643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Primer Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-65 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-65 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 29 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.5 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. **Claims 5,6,23,50,55,56,61,62** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Regarding claims 5,6,50,61,62, the unit of weight cannot be ounces per square yard. Regarding claim 23, it is unclear if the impenetrable layer is supposed to be impervious to UV radiation or not because page 7, 1<sup>st</sup> paragraph, of the specification seems to suggest that the impenetrable layer is impervious to UV radiation. Regarding claims 55 & 56, both line 1, "the polyethylene sheet" lacks prior antecedent basis.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1,2,4,8-11,29,30,33,42,44,46,48,63** are rejected under 35 U.S.C. 102(e) as being anticipated by Reiger (US 5,768,825 on form PTO-1449).

For claim 1, Reiger discloses a root growth barrier comprising a layer of a root-tip-trapping material 10 or 22 (col. 4, lines 15-19 & col. 5, lines 12-20) bonded (as shown in fig. 6) to a layer of a root-impenetrable material 24 (col. 6, lines 12-15).

For claim 2, Reiger further discloses the root-impenetrable material is water-impenetrable (as shown in fig. 6, the pot 24 is made of a plastic material which is water-impenetrable, especially when Reiger wants to place the pot in-ground as discussed in col. 6, line 15).

For claim 4, Reiger further discloses the root-tip-trapping material 10 or 22 being a porous fabric (col. 4, line 15-17).

For claim 8, Reiger further discloses the porous fabric is spun bonded, needle punched fabric (col. 4, lines 15-19 & col. 5, lines 10-20).

For claim 9, Reiger further discloses the porous fabric is made from polyester, polypropylene or polyolefin fibers (col. 4 lines 35,66,67).

For claims 10,42, Reiger further discloses the porous fabric is a woven or knitted fabric (col. 4, line 59).

For claim 11, Reiger's porous fabric is degradable since it is the same as used by applicant.

For claim 29, Reiger discloses an apparatus comprising a root-impenetrable container 24 for growing a plant and a root-tip-trapping material 10 or 22 bonded to an inner wall of the container (as shown in fig. 6).

For claim 30, Reiger further discloses the container 24 being formed into a shape selected from cylinder.

For claim 33, see explanation for claim 8.

For claim 44, Reiger further discloses the container 24 is an in-ground container (col. 6, lines 10 & 15).

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For claim 46, Reiger discloses a method of growing a plant in a pot comprising the steps of disposing a bilayer root growth barrier consisting essentially of a root-tip-trapping inner material 10 bonded to a root-impenetrable material 24; disposing a growth medium 11 adjacent to the root growth barrier; and adding a plant to the growth medium.

For claim 48, Reiger discloses a root growth barrier consisting essentially of a layer of a root-tip-trapping material 10 or 22 bonded to a layer of root-impenetrable material 24.

For claim 63, Reiger further discloses in col. 5, line 4 that the root-tip-trapping layer 10 or 22 having a fuzzy surface placed inside the trapping layer so as to catch the root tips. Therefore, the fabric and the fuzzy surface make up a plurality of layers or strata for the trapping material.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 3,5-7,25,26,31,32,34,35,64,65** are rejected under 35 U.S.C. 103(a) as being unpatentable over Reiger (as above).

For claim 3, Reiger discussed in col. 4, lines 31-57, about the root-tip-trapping material measurement but is silent about the material being greater than 10 root-tip-trapping elements per square inch. It would have been obvious to one having ordinary

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skill in the art at the time the invention was made to have the root-tip-trapping material of Reiger being greater than 10 root-tip-trapping elements per square inch or 100 root-tip-trapping elements per square inch, since it has been held that where routine testing and general experimental conditions are present (the condition would be how many root tips one wishes to trap within the fabric), discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

For claims 5,6, as mentioned in the above for claim 3, Reiger discussed the root-tip-trapping material such as a porous fabric (as discussed in claim 4) measurement but is silent about the fabric having a weight between 2 and 10 ounces per square yard or between 4 and 6 ounces per square yard. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the porous fabric of Reiger weighing between 2 and 10 ounces per square yard or 4 and 6 ounces per square yard or between 4 and 6 ounces per square yard, since it has been held that where routine testing and general experimental conditions are present, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

For claim 7, Reiger is silent about the fabric having openings between 1/16 and 1/4 inch. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the porous fabric of Reiger with openings between 1/16 and 1/4 inch, since it has been held that where routine testing and general experimental conditions are present (the condition would be finding the appropriate opening size of

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the porous fabric to grab the root tips), discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

For claims 25,26, Reiger is silent about the root-impenetrable layer having a thickness between 2 and 10 mils or between 3 and 5 mils. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the thickness of the root-impenetrable layer of Reiger being between 2 and 10 mils or between 3 and 5 mils, since it has been held that where routine testing and general experimental conditions are present, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

For claims 31,32, Reiger is silent about the diameter of the container 24. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the diameter of the container of Reiger to be between 2 and 96 inches or 5 and 60 inches, since it has been held that where routine testing and general experimental conditions (to find the right diameter for the plant size) are present, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

For claim 34, see explanation for claim 5.

For claim 35, see explanation for claim 6.

For claim 64, see explanation for claim 2.

For claim 65, Reiger is silent about the trapping material 10 or 22 comprises greater than 100 root-tip-trapping elements per square inch. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the

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trapping material 10 or 22 of Reiger comprises greater than 100 root-tip-trapping elements per square inch, since it has been held that where routine testing and general experimental conditions are present, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

7. **Claim 12** is rejected under 35 U.S.C. 103(a) as being unpatentable over Reiger (as above) in view of Thomas (US 5,311,700). Reiger is silent about the porous fabric being cotton. Thomas teaches a root growth barrier such as a container for a plant in which he employed cotton for a root-growth resistant material 50 (col. 5, line 11). It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ cotton as taught by Thomas as the preferred material for the porous fabric of Reiger, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use (to trap and resist root growth) as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

8. **Claims 13-16,18-19,41,49-53,55** are rejected under 35 U.S.C. 103(a) as being unpatentable over Reiger (as above) in view of Berlitz et al. (GB 2,073,567 A).

For claim 13, Reiger is silent about the porous fabric being opaque. Berlitz et al. teach a plant container in which they employ an opaque inner layer 11 bonded to an outer layer 12, the opaque color is chosen because it prevents the transmission of light that may be harmful to roots (page 1, lines 101-105). It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ an opaque color as taught by Berlitz et al. for the porous fabric of Reiger in order to prevent



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the transmission of light that may be harmful to roots. Note, the examiner is relying on Berlitz et al. for a teaching of having an inner layer of a plant container being opaque and not a porous fabric.

For claim 14, Berlitz et al. further disclose that black is the preferred color for the inner layer 11 because of its prevention of the transmission of light that may be harmful for the roots (page 1, lines 101-105). It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a black color as taught by Berlitz et al. for the same as the porous fabric of Reiger in order to prevent the transmission of light that may be harmful to roots. Note, the examiner is relying on Berlitz et al. for a teaching of having an inner layer of a plant container being opaque and not a porous fabric.

For claim 15, Reiger is silent about the trapping material 10 or 22 being bonded onto the impenetrable material 24 by a method selected from gluing, laminating and combinations thereof. In addition to the above, Berlitz et al. further discloses the layers 11, 12, 13 making up the plant containers are bonded together by the lamination process (page 1, lines 95-100, where they refer the layers as laminate). It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the method of lamination as taught by Berlitz et al. to bond the trapping material and the impenetrable material of Reiger in order to secure the two materials together. Note, Reiger teaches that the trapping material 10 or 22 can be removed from the pot 24 by using handle 18. However, Reiger does not state that it has to be removed from the pot and it is well known in plant husbandry that liner in container can be

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permanently bonded to the container; therefore, it would be obvious to one of ordinary skill in the art to permanently bond the trapping material 10 or 22 by lamination to the pot 24, depending on the user's desire to do so to prevent the roots from growing and spreading everywhere.

For claim 16, Reiger is silent about the root-impenetrable material 24 being comprised of a plurality of layers. Berlitz et al. teach a plant container having a plurality of layers 11,12,13 in order to provide a strong plant container and to create a container with different color strata with different function such as light reflecting, decoration, etc. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a plurality of layers as taught by Berlitz et al. for the root-impenetrable material of Reiger in order to provide a stronger container and to create a container with different color strata with different function such as light reflecting, decoration, etc.

For claims 18,19, Reiger is silent about the root-impenetrable material 24 being a polymer sheet selected from polyethylene and polypropylene. In addition to the above, Berlitz et al. further teach the layers 5,6 of the plant container or the root-impenetrable material are made out of polypropylene because polypropylene displays high elasticity (page 2, lines 5-11). It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ polypropylene as taught by Berlitz et al. as the preferred material for the root-impenetrable material of Reiger, since it has been held to be within the general skill of a worker in the art to select a known material on the

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basis of its suitability for the intended use (high elasticity feature) as a matter of obvious choice. In re Leshin, 125 USPQ 416.

For claim 41, see explanation for claim 14.

For claim 49, Reiger discloses a root growth barrier comprising a plastic sheet 24 having a surface bonded to a porous fabric 10 or 22. However, Reiger is silent about a polymer sheet. In addition to the above, Berlitz et al. disclose the plant container being made out of a polymer sheet such as polypropylene, PVC or polystyrene. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a polymer sheet as taught by Berlitz et al. as the preferred material for the root growth barrier of Reiger, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious choice. In re Leshin, 125 USPQ 416.

For claim 50, see explanation for claim 6.

For claim 51, see explanation for claim 7.

For claim 52, see explanation for claims 8,10.

For claim 53, see explanation for claim 9.

For claim 55, see explanation for claim 15.

9. **Claims 17,18,21,22,24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Reiger (as above) in view of Van der Goorbergh (EP 300578 A3).

For claim 17, Reiger is silent about the root-impenetrable material 24 being reflective. Van der Goorbergh teaches a seed trough having two layers 5,6 that are coated with a reflective material (page 2, col. 2, lines 7-16). It would have been obvious

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to one having ordinary skill in the art at the time the invention was made to employ a reflective material as taught by Van der Goorbergh on the root-impenetrable material of Reiger in order to reflect light and thus prevent harm to the roots.

For claims 18,24, in addition to the above, Van der Goorbergh further discloses the root-impenetrable material 6 being a polymer sheet and the sheet is white (col. 2, line 55 and col. 3, line 1). It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a white polymer sheet as taught by Van der Goorbergh as the preferred material for the root-impenetrable material of Reiger in order to reflect harmful light away from the plant (col. 2, lines 54-55).

For claims 21,22, in addition to the above, Van der Goorbergh further discloses aluminum foil on the outer layer 6 of the plant container to reflect harmful light away from the plant (see abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ aluminum foil as taught by Van der Goorbergh as the preferred material for the root-impenetrable material of Reiger in order to reflect harmful light away from the plant.

10. **Claims 20,23,27,28,36-40,47,49,56,57,60-62** are rejected under 35 U.S.C. 103(a) as being unpatentable over Reiger (as above) in view of Flasch, Jr. (US 5,852,896).

For claim 20, Reiger is silent about the root-impenetrable material being metal. Flasch, Jr. teaches a plant container comprising a root-impenetrable material 28 that is made out of metal (col. 12, line 38). It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ metal as taught by Flasch,

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Jr. as the preferred material for the root-impenetrable material of Reiger, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use (strength and durability features of metal) as a matter of obvious choice. In re Leshin, 125 USPQ 416.

For claim 23, in addition to the above, Flasch further teaches using a UV inhibitor to provide UV light stability (col. 12, line 45) in the preferred material for his root-impenetrable layer 28 to block out harmful UV light or radiation. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a UV inhibitors to provide high UV stability as taught by Flasch, Jr. in the root-impenetrable layer of Reiger in order to block out harmful UV light or radiation.

For claims 27,28, Reiger is silent about the root-impenetrable material being biodegradable. In addition to the above, Flasch further discloses the root-impenetrable material 6 being biodegradable (col. 12, line 38, where Flasch discusses the material can be wood which is biodegradable). It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ wood as taught by Flasch as the preferred material for the root-impenetrable material of Reiger because wood is biodegradable and environmentally friendly.

For claim 36, in addition to the above, Flasch further discloses the container being made out of polyethylene (col. 12, line 44). It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ polyethylene as taught by Flasch as the preferred material for the container 24 of Reiger, since it has been held to be within the general skill of a worker in the art to

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select a known material on the basis of its suitability for the intended use (reduce cost) as a matter of obvious choice. In re Leshin, 125 USPQ 416.

For claims 37,38, Reiger as modified by Flasch is silent about the polyethylene having a thickness between 2 and 10 mils or between 3 and 5 mils. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the thickness of the polyethylene of Reiger as modified by Flasch being between 2 and 10 mils or between 3 and 5 mils, since it has been held that where routine testing and general experimental conditions are present, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

For claims 39,40, in addition to the above, Flasch further teaches using a UV inhibitor to provide UV light stability (col. 12, line 45) in the preferred material for his root-impenetrable layer 28 to block out harmful UV light or radiation. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a UV inhibitors to provide high UV stability as taught by Flasch, Jr. in the polyethylene of Reiger as modified by Flasch in order to block out harmful UV light or radiation.

For claim 47, Reiger discloses a method of growing a plant in-ground (col. 6, lines 10 & 15) comprising the steps of placing growth medium 11 in a container 10 or 22,24 comprising a bilayer consisting essentially of a root-impenetrable outer material 24 bonded to an inner root-penetrable material 10 or 22; adding a plant to the growth medium. However, Reiger is silent about the outer material 24 being biodegradable. In addition to the above, Flasch further discloses the root-impenetrable material 6 being

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biodegradable (col. 12, line 38, where Flasch discusses the material can be wood which is biodegradable). It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ wood as taught by Flasch as the preferred material for the root-impenetrable material of the method of Reiger because wood is biodegradable and environmentally friendly.

For claim 49, Reiger discloses a root growth barrier comprising a plastic sheet 24 having a surface bonded to a porous fabric 10 or 22. However, Reiger is silent about a polyethylene sheet. In addition to the above, Flasch discloses the plant container being made out of a polyethylene sheet (col. 12, line 44). It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a polyethylene sheet as taught by Flasch as the preferred material for the plastic sheet of Reiger, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious choice. In re Leshin, 125 USPQ 416.

For claim 56, Reiger as modified by Flasch is silent about the polyethylene sheet being of a thickness between 2 and 10 mils. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the polyethylene sheet of Reiger as modified by Flasch being of a thickness between 2 and 10 mils, since it has been held that where routine testing and general experimental conditions are present, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

For claim 57, Reiger as modified by Flasch teaches this claim limitation as explained in the above.

For claim 60, see explanation for claim 56.

For claim 61, see explanation for claim 5.

For claim 62, see explanation for claim 6.

11. **Claim 43** is rejected under 35 U.S.C. 103(a) as being unpatentable over Reiger (as above) in view of Kalpin (US 3,094,810). Reiger is silent about the container being assembled by sewing because the container of Reiger is made out of plastic (as shown in fig. 6, cross-section). Kalpin teaches a container for plant made out of semi-rigid sheets of material such as paper or cloth that are sewed together to form the container (col. 1, lines 62-71). It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a container made up of semi-rigid sheets that are sewed together as taught by Kalpin in place of the container of Reiger in order to provide a container that is easy to store and reduce shipping costs (col. 1, lines 13-15 of Kalpin).

12. **Claim 45** is rejected under 35 U.S.C. 103(a) as being unpatentable over Reiger (as above) in view of Billings (US 6,223,466 B1). Reiger is silent about the container 24 being a production pot in pot-in-pot production. Billings teaches a planting system that is a production pot-in-pot in which a primary pot 20 is installed in a soil and a second pot 12 is inserted into the primary pot for purpose of growing a tree or shrub (see abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the container of Reiger be a production pot in pot-in-pot



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production as taught by Billings in order to allow a user with the versatility of placing and removing the inner pot from the outer pot whenever desired and to interchanged from one location to another location by replacing one inner container from an outer container with another similar inner container (see abstract of Billings).

13. **Claim 54** is rejected under 35 U.S.C. 103(a) as being unpatentable over Reiger (as above) in view of Berlitz et al. (as above) and Van der Goobergh (as above). See explanation for claims 14,24.

14. **Claim 58** is rejected under 35 U.S.C. 103(a) as being unpatentable over Reiger as modified by Flasch as applied to claim 57 above, and further in view of Berlitz et al. (as above) and Van der Goobergh (as above). See explanation for claim 54.

15. **Claim 59** is rejected under 35 U.S.C. 103(a) as being unpatentable over Reiger as modified by Flasch as applied to claim 57 above, and further in view of Berlitz et al. (as above). See explanation for claim 15.

16. The following prior arts are made of record to provide the best available relevant examples of a root growth barrier: Nobuhiko discloses a flower pot having multiple layers bonded together by a binder. Tennant, Jr. teaches a plant container with fibrous walls for holding a root growth inhibitor. SE141561 discloses a plant container having multiple layers held together by an adhesive. Koichi teaches a root wrapping material for transplanting tree.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son T. Nguyen whose telephone number is (703) 305-0765. The examiner can normally be reached on Monday - Friday from 9:00 a.m. to

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5:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon, can be reached at (703) 308-2574. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



Son T. Nguyen  
Patent Examiner, GAU 3643  
November 27, 2002